

EXHIBIT 9

From: Cosner, Steven <StevenCosner@miamibeachfl.gov>
Subject: Salabarria AAF
To: Prieto, AJ <AJPrieto@miamibeachfl.gov>
Sent: January 8, 2021 12:35 AM (UTC-05:00)
Attached: Salabarria AAF.pdf

Hello AJ,

I was advised to forward this to you. Please review and advise if there is anything else you need me to take care of.
Thanks.

SC



Steve Cosner, Lieutenant
MIAMI BEACH POLICE DEPARTMENT
Operations Division/Third Platoon/Area 2
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Mission: Address Crime and Community Concerns

Vision: A safe and welcoming environment for everyone

Values: Honorable, Professional, Resilient

Our Daily Goals: Use innovative approaches to address crime, maintain and enhance a professional and well trained workforce, enhance the public's perception of the Miami Beach Police Department

 Administrative Action Form			
D#			
Employee: Salabarria, Jessica	Job Title: Sergeant of Police	Division: Operations/Patrol	Date: 12/30/2020
Level of Action: Documentation of Verbal Conference:		Written Warning:	Letter of Reprimand:
Violation of City Work Rule: Violation of Department SOP #: DRR 3.8.2, DRR 6.5.4, DRR 6.15.1, 6.15.6, 6.15.9, DRR 6.28.3.6, 6.28.3.10, 6.28.3.20, 6.28.3.34, DRR 6.34.1, DRR 6.39.1, DRR 6.40.1		Title: Title: Insubordination, Integrity, Performance of Duties, Conduct Unbecoming, Untruthfulness, Supervisor Responsibility, Radio Transmissions	
Violation of General Special Order #:		Title:	
<p>Documentation of Incident: On Sunday night, 12/27/2020 at approximately 2200 hours, I advised Sergeant Jessica Salabarria that we needed a Sergeant on overtime for the midnight shift. I told her that she was the next supervisor to be forced to work over since we did not have any volunteers for the position. She was told that she would be assigned to Area 3 and would be working from 0000-0600 hours. She acknowledged the order and within several minutes she provided me with an overtime slip completed by her in which she documented in her own handwriting that she was working in Area 3. She left the sergeant's office shortly thereafter. At approximately 0355 hours, I forwarded an email to Sergeant Salabarria with the details and watch orders that needed to be assigned to the Area 3 officers for completion prior to the end of their shift. I then sent a text message to her cellular phone advising her to check her email at 0359 hours. After a few minutes I did not receive an acknowledgement of the text message, so I tried to call her phone at 0404 hours. Then phone rang repeatedly and went to voicemail. I tried to raise her via the police radio immediately afterwards. The dispatcher raised her multiple times with no response. Sergeant Wilson Romero advised via radio that he would try to call her. He called me at 0411 hours to advise that he could not reach her and that her phone rang through to voicemail. I again tried to have the dispatcher raise her, and after several attempts by name and unit number, she finally responded. The tone of her voice sounded as if she was just waking up. I spoke with her via the supervisor channel and asked her where she was. She told me that she was "05". I responded by asking if she meant, "05 at the NESS". She said no and that she was at the main station. I asked if she was aware that she was assigned to Area 3 and she answered affirmatively. I then ordered her to respond to Area 3 and to check her email.</p>			
<p>I became involved in a vehicle stop along 71 street that resulted in an arrest at 0416. Officer Ocejo was one of the officers who responded as back-up. After the subject was transported, I waited on scene with Officer Ocejo as he waited for a tow truck. I asked Officer Ocejo to check his email to see if the details had been forwarded by Sergeant Salabarria. He told me that he did not have any emails from her. This was at approximately 0520 hours. At 0543 hours, I received an unsolicited text message from Sergeant Salabarria advising that she had emailed me the squad stats and the detail assignments. She claimed that she had told the officers via landline and email of their detail assignments. The email that she sent me was sent at 0536 hours. It included the squad stats and detail assignments. I called Officer Hansel Romero and asked him if he had received any emails, texts, or phone calls from Sergeant Salabarria advising him of detail assignments. He said that he did not and that she had only asked for stats in an email that was sent at 0521 hours. That email was forwarded to me by Officer Ocejo. I began</p>			

calling all the officers assigned to Area 3 and inquired the same of each of them. Every one of the officers advised that they had not received a call or text advising of the details. Officer Romero then forwarded an email that he received from Sergeant Salabarria at 0542 hours. The email had been sent to each of the Area 3 officers. It was the detail assignments and began with a highlighted line stating, "squad per our conversation please note the below details for our shift". I found this very concerning because it was now the second time that she had claimed to have had a conversation with the officers about their assignments when all six of them claimed that never happened and they did not report to any assigned details during the shift.

I sent an email to Lieutenant Jorge Garcia asking for a Detail Report for Sergeant Salabarria's assigned marked vehicle via the AVL system. My inquiry was for her vehicle movement from 2200 hours on 12/27/2020 through 0600 hours on 12/28/2020. The Detail Report showed that her vehicle had been parked at the station from 2200 hours on 12/27/2020 until 0423 hours on 12/28/2020 which was a few minutes after we spoke on the supervisor channel. For a total of 6 hours and 23 minutes. It is unknown how long the vehicle had been parked prior to that. The report indicated that she left the station and drove directly to 73rd Street and Ocean Terrace where she again parked her vehicle at 0440 hours. The vehicle remained in that position until 0533 hours for a total of 53 minutes. She then left that location and drove directly to the MBPD headquarters.

Note that of the six officers assigned to Area 3 on the shift in question 4 of them have 2 years of experience or less.

Sergeant Salabarria's actions show a willful effort to deceive a supervisor and a failure to obey a direct order from said supervisor. She failed to report to her assigned zone and failed to supervise the officers under her watch. She failed on multiple occasions to respond to the police radio and showed extreme neglect in the performance of her duties.

I have read the Administrative Action Form and understand it. Additionally, I have been provided with an employee's Administrative Action Response Form and it has been explained to me.

Employee's Initials _____

Employee's Signature: _____	Lieutenant Signature: _____
Print Name: _____ Date: _____	Print Name: _____ Date: _____
Preparer's Signature: _____	Captain Signature: _____
Print Name: _____ Date: _____	Print Name: _____ Date: _____
Witness Signature: _____	Division Commander Signature: _____
Print Name: _____ Date: _____	Print Name: _____ Date: _____

Witness Signature: _____	Chief of Police Signature: _____
Print Name: _____ Date: _____	Print Name: _____ Date: _____